

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In the Matter of the Complaint of Craig Lade, Owner of the Motor Vessel "RIVER BELLE" for Exoneration From or Limitation of Liability, Plaintiff.	Case No. 23-cv-01859 (SRN/DLM) In Admiralty
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ORDER GRANTING DEFAULT JUDGMENT

Vince C. Reuter and Robert T. Dube, Jr., Eckland & Blando, Lumber Exchange Bldg., 10 S. 5th St., Ste. 800, Minneapolis, MN 55402, for Plaintiff.

Gregory Greene, 6140 Doffing Ave. E., Mailbox 39, Inver Grove Heights, MN 55076, Pro Se Claimant.

Plaintiff Craig Lade brought this action under the Limitation of Liability Act, 46 U.S.C. § 30511, seeking to avoid or limit the potential liability that he faces for an incident involving a vessel that he owns. Plaintiff seeks the following order:

1. Directing the entry of default judgment against all persons and entities that failed to file claims in accordance with the Court's July 18, 2023 Order [Doc. No. 6] and Rule F of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, and

2. Any other relief this Court deems just.

For the reasons that follow, Plaintiff's motion will be **GRANTED**.

THE COURT FINDS THAT:

1. On July 18, 2023 this Court entered an Order which directed the issuance of notice of Plaintiff's Complaint for Exoneration From or Limitation of Liability, approved the Ad Interim Stipulation for Value, approved the Stipulation of Costs, and ordered monition and injunctive relief restraining the prosecution of claims. [Doc. No. 6.]

2. The July 18, 2023 Order admonished all persons having claims related to the March 7, 2023 incident described in Plaintiff's complaint to file their claim by September 8, 2023. [Doc. No. 6.]

3. Publication of the Notice was duly made as required by Rule F(4) of the Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, the rules of this Court, and the terms of the Order entered on July 18, 2023, by this Court. The Notice was published in the Pioneer Press once a week for four consecutive weeks, from July 26, 2023, to August 16, 2023.

4. Plaintiff mailed copies of the Notice of Complaint for Exoneration From or Limitation of Liability, and other pleadings and orders, to all persons and entities, and/or their attorneys, known to have asserted a claim, and

known persons or entities who may have a claim, against Plaintiff or the Vessel, arising from the alleged March 7, 2023 incident.

5. On September 8, 2023 Gregory Greene filed an Answer and a Claim. [Doc. No. 8.]

6. No other claims have been filed, nor has any other claimant filed an appearance in this action.

7. The time for filing claims and responsive pleadings has now expired.

8. On September 18, 2023, the Clerk of Court entered default against all persons and entities that failed to file claims. [Doc. No. 11.]

9. Jake Farrell was not an active-duty service member during the relevant timeframe of this litigation.

10. On November 8, 2023, pursuant to a stipulation between Plaintiff and claimant Gregory Greene [Doc. No. 23], the Court dismissed the claim of Gregory Greene only with prejudice. [Doc. No. 25.]

Based on the foregoing, and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's Motion for default judgment against all persons and entities that failed to file claims in accordance with the Court's July 18, 2023 Order and the Supplemental Rules for Admiralty or Maritime Claims and

Assert Forfeiture Actions of the Federal Rules of Civil Procedure [Doc. No. 12] is **GRANTED**.

2. All persons or entities in default as stated in the above paragraph are forever barred and precluded from filing any claims and/or answers in this action and from filing any other claims, actions, or lawsuits whatsoever and wherever against Plaintiff Craig Lade and/or the motor vessel "RIVER BELLE," owned by it, arising out of or incurred by reason of the March 7, 2023 incident described in Plaintiff's Complaint and the July 18, 2023 Order.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 8, 2023

s/Susan Richard Nelson
Susan Richard Nelson
United States District Judge